

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNION PACIFIC RAILROAD COMPANY,)	
)	
Plaintiff,)	
v.)	Civil Action No.8:20-cv-00516
)	
BROTHERHOOD OF MAINTENANCE OF WAY)	
EMPLOYEES DIVISION/IBT)	
)	
Defendant.)	
)	

NOTICE OF COMPLIANCE WITH PRELIMINARY INUNCTION

Defendant Brotherhood of Maintenance of Way Employees Division/IBT hereby provides notice that it has complied with the Court's directive that the Union notify its officers and members of the Preliminary Injunction issued by the Court.

On January 7, 2020 the following was posted on the BMWED webpage:

UPDATE: Federal Court Has Enjoined the BMWED in COVID-19 Safety Dispute With Union Pacific

Published: Jan 7 2021 5:43PM

In the dispute between BMWED and Union Pacific over Union Pacific's Covid-19 policies and protocols, the Federal Court in Omaha has enjoined a potential withdrawal from service over UP's policies and protocols. Under that order, BMWED and its officers, members, agents and employees are enjoined from:

- a. directing, calling, causing, approving, authorizing, instigating, conducting, threatening, continuing, encouraging, inducing or engaging in any strike, self-help, sickout, concerted refusal to bid on advertised assignments, absenting themselves from work, slowdown, work stoppage, refusal to work, job action, picketing, or refusal to cross a picket line at or outside of the premises of or against Union Pacific, and any and all acts of any kind whatsoever, in furtherance or support thereof;
- b. interfering in any manner with any person employed by Union Pacific while that person is performing his or her work and duties for the carrier;
- c. seeking to resolve their major dispute with Union Pacific by any means (including picketing,

patrolling or economic pressure of any kind against Union Pacific or any of its corporate affiliates or any person doing business with them, or any of them) other than by pursuing the collective bargaining and mediation procedures contained in the Railway Labor Act;

d. otherwise interfering with the normal business operations of Union Pacific.

To comply with the Court's Order, we are issuing this quick notice. A more detailed explanation will be forthcoming.

On January 7, 2020 the same message was circulated by the BMWED Unified System Division via mass emails and mass text messages.

Respectfully submitted,

/s/ Richard S. Edelman

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Attorneys for Brotherhood of Maintenance of Way Employees Division/IBT

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused a copy of the foregoing Notice Of Compliance With Temporary Restraining Order to be served through the Court's electronic case filing system to the following:

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January 9, 2020

/s/Robert E. O'Connor, Jr.
Robert E. O'Connor, Jr.